

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ROCHELLE GLASGOW, *et al.*,

Named Plaintiffs,

vs.

DANIEL J. BEERS, *et al.*,

Defendants.

CASE NO. 5:21-CV-02001

JUDGE DAVID A. RUIZ

**DECLARATION OF MICHAEL I. FISTEL, JR. IN SUPPORT OF
PLAINTIFFS' MOTION FOR CLASS CERTIFICATION**

REDACTED PUBLIC VERSION

Under 28 U.S.C. § 1746, I, Michael I. Fistel, Jr., declare as follows:

1. I am a partner at Johnson Fistel, PLLP, Counsel for Plaintiffs.¹ I have personal knowledge of the matters set forth herein, and if called upon, I could and would completely testify thereto.
2. Attached hereto are true and correct copies of the following exhibits:
 - Exhibit 1: Letter from counsel for Defendant Gospel Light Mennonite Church Medical Aid Plan, Inc. DBA Liberty HealthShare (“Liberty”) to counsel for Plaintiffs, dated January 10, 2025;
 - Exhibit 2: Liberty Sharing Member Enrollment Applications from, upon information and belief, 2013 to the present, identified by date using the dates listed on the bottom of the first page of the applications as produced by Defendants;
 - Exhibit 3: Liberty Sharing Member Enrollment Application for Rochelle Glasgow and Randall Moss from 2015;
 - Exhibit 4: Liberty Sharing Member Enrollment Application for Rochelle Glasgow from 2016;

¹ Capitalized terms are defined in the Plaintiffs' Motion for Class Certification and memorandum in support thereof.

Exhibit 5: Liberty Sharing Member Enrollment Application for Donna Landry from 2015;

Exhibit 6: Liberty Sharing Member Enrollment Application for William T. Rooker, III from 2017;

Exhibit 7: Liberty's Objections and Responses to Plaintiffs' First Set of Requests for Admission;

Exhibit 8: Nationwide Survey of Money Had and Received Law;

Exhibit 9: Liberty Healthshare, Inc. 2013 Form 990;

Exhibit 10: Liberty Healthshare, Inc. 2014 Form 990;

Exhibit 11: Liberty Healthshare, Inc. 2014 Form 990-PF;

Exhibit 12: The National Coalition of Health Care Sharing Ministries, Inc. 2015 Form 990;

Exhibit 13: The National Coalition of Health Care Sharing Ministries, Inc. 2015 Form 990-PF;

Exhibit 14: The National Coalition of Health Care Sharing Ministries, Inc. 2016 Form 990-PF;

Exhibit 15: The National Coalition of Health Care Sharing Ministries, Inc. 2016 Form 990;

Exhibit 16: The National Coalition of Health Care Sharing Ministries, Inc. 2017 Form 990-PF;

Exhibit 17: The National Coalition of Health Care Sharing Ministries, Inc. 2018 Form 990-PF;

Exhibit 18: The National Coalition of Health Care Sharing Ministries, Inc. 2019 Form 990-EZ;

Exhibit 19: Gospel Light Mennonite Church Medical Aid Plan, Inc. 2015 Form 990;

Exhibit 20: Gospel Light Mennonite Church Medical Aid Plan, Inc. 2016 Form 990;

Exhibit 21: Gospel Light Mennonite Church Medical Aid Plan, Inc. 2017 Form 990;

Exhibit 22: Gospel Light Mennonite Church Medical Aid Plan, Inc. 2018 Form 990;

Exhibit 23: Gospel Light Mennonite Church Medical Aid Plan, Inc. 2019 Form 990;

Exhibit 24: Gospel Light Mennonite Church Medical Aid Plan, Inc. 2020 Form 990;

Exhibit 25: Gospel Light Mennonite Church Medical Aid Plan, Inc. 2021 Form 990;

Exhibit 26: Gospel Light Mennonite Church Medical Aid Plan, Inc. 2022 Form 990;

Exhibit 27: Gospel Light Mennonite Church Medical Aid Plan, Inc. 2023 Form 990;

Exhibit 28: [REDACTED];

Exhibit 29: [REDACTED];

Exhibit 30: [REDACTED];

Exhibit 31: [REDACTED];

Exhibit 32: [REDACTED];

Exhibit 33: [REDACTED];

Exhibit 34: [REDACTED];

Exhibit 35: [REDACTED];

Exhibit 36: [REDACTED];

Exhibit 37: [REDACTED];

Exhibit 38: [REDACTED];

Exhibit 39: [REDACTED];

Exhibit 40: [REDACTED];

Exhibit 41: [REDACTED];

Exhibit 42: [REDACTED]

[REDACTED];

Exhibit 43: [REDACTED];

Exhibit 44: [REDACTED];

Exhibit 45: [REDACTED];

Exhibit 46: [REDACTED];

Exhibit 47: [REDACTED];

Exhibit 48: [REDACTED];

Exhibit 49: [REDACTED];

Exhibit 50: [REDACTED];

Exhibit 51: [REDACTED];

Exhibit 52: [REDACTED];

Exhibit 53: [REDACTED];

Exhibit 54: [REDACTED];

Exhibit 55: [REDACTED];

Exhibit 56: [REDACTED];

Exhibit 57: [REDACTED];

Exhibit 58: [REDACTED];

Exhibit 59: Affidavit of Dorsey W. Morrow, filed June 9, 2025, in the matter of *Gospel Light Mennonite Church Medical Aid Plan et al. v. New Mexico Office of the Superintendent of Insurance et al.*, No. 1:23-cv-00276-MLG-KK (N.M. Dist. Ct.) (ECF No. 160-7);

Exhibit 60: Nationwide Survey of Unjust Enrichment Law;

Exhibit 61: *ProPublica* Article, dated February 25, 2023;

Exhibit 62: *ProPublica* Article, dated March 9, 2023;

Exhibit 63: *ProPublica* Article, dated May 15, 2023;

Exhibit 64: Letter from *ProPublica* to the Beers Family, dated November 16, 2022;

Exhibit 65: John Hunt M.D. complaint to the Office of the Ohio Attorney General dated November 28, 2017;

Exhibit 66: Declaration of Plaintiff Donna Landry in Support of Plaintiffs' Motion for Class Certification dated July 27, 2025;

Exhibit 67: Declaration of Plaintiff Rochelle Glasgow in Support of Plaintiffs' Motion for Class Certification dated July 28, 2025;

Exhibit 68: Declaration of Plaintiff William Rooker in Support of Plaintiffs' Motion for Class Certification dated July 28, 2025;

Exhibit 69: Nationwide Survey of Conversion Law;

Exhibit 70: Johnson Fistel, PLLP Firm Resume; and

Exhibit 71: The Law Office of George W. Cochran Firm Resume.

I declare under the penalties of perjury that the foregoing is true and accurate to the best of my knowledge, information, and belief.

Executed this 29th day of July, 2025 in Marietta, Georgia.

/s/ Michael I. Fistel, Jr.
MICHAEL I. FISTEL, JR.

CERTIFICATE OF SERVICE

I hereby certify that on July 29, 2025, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses noted on the Electronic Mail Notice List. In addition, the Motion was served by electronic and U.S. Mail to Douglas D. Behrens at the address provided by his counsel:

Douglas D. Behrens
947 W. Waterloo Rd.
Akron, OH 44320
Douglas@aprxF.com

/s/ Michael I. Fistel, Jr.
Michael I. Fistel, Jr.